

**APPLICATION FOR PERMIT  
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA**

Date of filing in State Engineer's Office JAN 18 1982 NEW PRIORITY DATE: JUL 11 1994

Returned to applicant for correction.....

Corrected application filed.....

Map filed MAR 23 1982

The applicant Clyde K. Emery, Jr., Developer  
1109 Palos Verdes Drive West, of Palos Verdes,  
Street and No. or P.O. Box No. City or Town  
California 90274, hereby make S application for permission to appropriate the public  
State and Zip Code No.  
 waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.)

1. The source of the proposed appropriation is underground  
Name of stream, lake or other source.
2. The amount of water applied for is one second-foot  
One second-foot equals 448.83 gals. per min.  
 (a) If stored in reservoir give number of acre-feet distribution storage only-approx. 3 A. acre-feet
3. The water to be used for Quasi-Municipal  
Irrigation, power, mining, manufacturing, domestic, or other use.
4. If use is for:
  - (a) Irrigation (state number of acres to be irrigated) N/A
  - (b) Stockwater (state number and kinds of animals to be watered) N/A
  - (c) Other use (describe fully under "No. 12. Remarks") N/A
  - (d) Power:
    - (1) Horsepower developed N/A
    - (2) Point of return of water to stream N/A
5. The water is to be diverted from its source at the following point: SW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 9 T19N, R18E,  
M.D.B.&M. or at a point from which the southwest corner of said Section 9 bears  
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land,  
S5<sup>0</sup>59'47"W 1196.55 feet.  
it should be stated.
6. Place of use portions of the NW $\frac{1}{4}$  SE $\frac{1}{4}$ , SE $\frac{1}{4}$  SE $\frac{1}{4}$  and all of the NE $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 8,  
Describe by legal subdivision, if on unsurveyed land it should be so stated.  
T19N, R18E, M.D.B.&M.; portions of the SW $\frac{1}{4}$  SE $\frac{1}{4}$ , SE $\frac{1}{4}$  SW $\frac{1}{4}$ , SW $\frac{1}{4}$  SW $\frac{1}{4}$  and all of the  
NW $\frac{1}{4}$  SW $\frac{1}{4}$ , NE $\frac{1}{4}$  SW, SW $\frac{1}{4}$  NW $\frac{1}{4}$ , and NW $\frac{1}{4}$  NW $\frac{1}{4}$  Section 9, T19N, R18E, M.D.B.&M.
7. Use will begin about January 1 and end about December 31, of each year.  
Day and Month Day and Month
8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) deepwell, lineshaft or submersible turbine  
pump, distribution system including storage, meters, telemetry & controls, &  
State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.  
related accessories.

9. Estimated cost of works. \$800,000
10. Estimated time required to construct works. 5 to 7 years
11. Estimated time required to complete the application to beneficial use. 7 to 8 years
12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.
- 659 single family dwelling units and 25,000 S.F. of commercial development will be served. Groundwater applied for herein to be comingled with water from three (3) other wells concurrently applied for this date, and water from No. 27124 and additional Coldron Ditch water for which an application to change
- (continued on page 2)

Applicant.....

By/s/Robert A. Ryder  
50 Washington Street, Suite 301  
Reno, Nevada 89503

Compared js/ cs ja/br

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of water begins, or before the Proof of Completion of Work is filed. This source is located within an area designated by the State Engineer, pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

The total combined duty of water under Permits 45241, 45242, 45243, and 45244 is limited to 251.7 acre-feet per year. Ground water Permits 45241, 45242, 45243, and 45244 are issued supplemental to the surface water sources for the planned development and the ground water permits are only to be exercised when surface water is not available.

Ground water Permits 45241, 45242, 45243, and 45244 are supplemental to surface water Permits 45245 and 45246.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.0 cubic feet per second, but not to exceed 251.7 acre-feet annually.

Actual construction work shall begin on or before N/A

Proof of commencement of work shall be filed before N/A

Work must be prosecuted with reasonable diligence and be completed on or before March 1, 1984

Proof of completion of work shall be filed before April 1, 1984

Application of water to beneficial use shall be made on or before March 1, 1987

Proof of the application of water to beneficial use shall be filed on or before April 1, 1987

Map in support of proof of beneficial use shall be filed on or before

Commencement of work filed JAN 21 1985

Completion of work filed

Proof of beneficial use filed

Cultural map filed

Certificate No. Issued

Recorded Bk. Page

County Recorder

IN TESTIMONY WHEREOF, I, PETER G. MORROS  
State Engineer of Nevada, have hereunto set my hand and the seal of  
my office, this 1st day of MARCH

A.D. 19 83

*Peter G. Morros*  
State Engineer

CANCELED  
 OF PERMIT TO COMPLY WITH THE PROVISIONS OF PERMIT  
 JUN 21 1994  
 BECAUSE OF FAILURE  
 State Engineer  
 Case. Associated 2-2-95 See Rules 2-2-95

12. (Continued)

point of diversion and manner of use is concurrently made this date. Written authorization to the Nevada State Engineer to withdraw January 23, 1979 PBU on No. 27124 is concurrently submitted this date. Attachment #1 hereto is a request for waiver to drill exploratory wells as part of owner's groundwater development plan. In addition to pertinent published documents, Mogul Water Company engineering and hydrology (Permits 32336, 32337, 35750, 35751, 35943, 35944, 35752, 35753 and 37718 thru 37725) and December 7, 1981 letter from Nevada State Engineer to Regional Planning Commission of Washoe County (see Case No. C-25-82W) are relevant. Direct all inquiries during processing to Walters & Beyer; 1202 Terminal Wy, St. 215, Reno, Nev. 89502 and all written communication to applicant with information copies to Walters & Beyer, & Collins & Ryder, Agent.